

FILED '08 DEC 03 16:15 USDC ORP

IN THE UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF OREGON

LORI EHLERS DELORENZ CARNETT,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant

Civil No. 3:07-CV-3094-MA

ORDER FOR REMAND

Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be reversed and remanded for a *de novo* hearing and further administrative proceedings, including but not limited to the following: the administrative law judge will re-evaluate the medical evidence; evaluate fibromyalgia symptomatology as provided by SSR 99-2p; re-evaluate the severity of Plaintiff's impairments, particularly her assessed mental impairments of personality disorder, somatoform disorder and depression; re-evaluate Plaintiff's credibility and RFC; continue on with the sequential evaluation process taking into consideration the longitudinal medical evidence of record consistent with SSRs 96-7p, 96-4, 96-8p and the provisions of 20 C.F.R. §§ 404.1520a, 404.1520(c)(1); 416.920a(c)(1); 404.1529(e)(2);

416.929(e)(2); 404.1528(b); 416.928 (b), re-evaluate Plaintiff's credibility and RFC; and obtain supplemental vocational expert testimony as necessary.

This remand is pursuant to sentence four of 42 U.S.C. § 405(g). Plaintiff is entitled to seek reasonable attorney fees and costs pursuant to 28 USC 2412(d) upon proper request to the Court. Upon proper presentation, this Court will consider Plaintiff's application for costs and attorney's fees under 28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b).

DATED this 3 day of December, 2008.


UNITED STATES DISTRICT JUDGE

Presented by:

s/ Thomas M. Elsberry
THOMAS M. ELSBERRY
Special Assistant United States Attorney
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of Attorneys for Defendant